

(F) any other entities the Secretary determines appropriate.

(d) Milestone-based demonstration projects

The Secretary may carry out demonstration projects under subsection (c) as a milestone-based demonstration project under section 7256c of this title.

(e) Nonduplication

Entities may not receive funds under this program if receiving funds from another reactor demonstration program at the Department in the same fiscal year.

(f) Authorization of appropriations

There are authorized to be appropriated to the Secretary to carry out the program under this subsection—

- (1) \$405,000,000 for fiscal year 2021;
- (2) \$405,000,000 for fiscal year 2022;
- (3) \$420,000,000 for fiscal year 2023;
- (4) \$455,000,000 for fiscal year 2024; and
- (5) \$455,000,000 for fiscal year 2025.

(Pub. L. 109–58, title IX, §959A, as added Pub. L. 116–260, div. Z, title II, §2003(g)(1), Dec. 27, 2020, 134 Stat. 2467.)

§ 16279b. International nuclear energy cooperation

The Secretary shall carry out a program—

(1) to collaborate in international efforts with respect to research, development, demonstration, and commercial application of nuclear technology that supports diplomatic, financing, nonproliferation, climate, and international economic objectives for the safe, secure, and peaceful use of such technology; and

(2) to develop collaboration initiatives with respect to such efforts with a variety of countries through—

(A) preparations for research and development agreements;

(B) the development of coordinated action plans; and

(C) new or existing multilateral cooperation commitments including—

(i) the International Framework for Nuclear Energy Cooperation;

(ii) the Generation IV International Forum;

(iii) the International Atomic Energy Agency;

(iv) the Organization for Economic Cooperation and Development Nuclear Energy Agency; and

(v) any other international collaborative effort with respect to advanced nuclear reactor operations and safety.

(Pub. L. 109–58, title IX, §959B, as added Pub. L. 116–260, div. Z, title II, §2003(h)(1), Dec. 27, 2020, 134 Stat. 2470.)

§ 16279c. Organization and administration of programs

(a) Coordination

In carrying out this part, the Secretary shall coordinate activities, and effectively manage crosscutting research priorities across programs of the Department and other relevant Federal agencies, including the National Laboratories.

(b) Collaboration

(1) In general

In carrying out this part, the Secretary shall collaborate with industry, National Laboratories, other relevant Federal agencies, institutions of higher education, including minority-serving institutions and research reactors, Tribal entities, including Alaska Native Corporations, and international bodies with relevant scientific and technical expertise.

(2) Participation

To the extent practicable, the Secretary shall encourage research projects that promote collaboration between entities specified in paragraph (1).

(c) Dissemination of results and public availability

The Secretary shall, except to the extent protected from disclosure under section 552(b) of title 5, publish the results of projects supported under this part through Department websites, reports, databases, training materials, and industry conferences, including information discovered after the completion of such projects.

(d) Education and outreach

In carrying out the activities described in this part, the Secretary shall support education and outreach activities to disseminate information and promote public understanding of nuclear energy.

(e) Technical assistance

In carrying out this part, for the purposes of supporting technical, nonhardware, and information-based advances in nuclear energy development and operations, the Secretary shall also conduct technical assistance and analysis activities, including activities that support commercial application of nuclear energy in rural, Tribal, and low-income communities.

(f) Program review

At least annually, all programs in this part shall be subject to an annual review by the Nuclear Energy Advisory Committee of the Department or other independent entity, as appropriate.

(g) Sensitive information

The Secretary shall not publish any information generated under this part that is detrimental to national security, as determined by the Secretary.

(Pub. L. 109–58, title IX, §959C, as added Pub. L. 116–260, div. Z, title II, §2006(a), Dec. 27, 2020, 134 Stat. 2471.)

§ 16280. Advanced Nuclear Energy Licensing Cost-Share Grant Program

(a) Definitions

In this section:

(1) Commission

The term “Commission” means the Nuclear Regulatory Commission.

(2) Program

The term “program” means the Advanced Nuclear Energy Cost-Share Grant Program established under subsection (b).

(3) Secretary

The term “Secretary” means the Secretary of Energy.

(b) Establishment

The Secretary shall establish a grant program, to be known as the “Advanced Nuclear Energy Cost-Share Grant Program”, under which the Secretary shall make cost-share grants to applicants for the purpose of funding a portion of the Commission fees of the applicant for pre-application review activities and application review activities.

(c) Requirement

The Secretary shall seek out technology diversity in making grants under the program.

(d) Cost-share amount

The Secretary shall determine the cost-share amount for each grant under the program in accordance with section 16352 of this title.

(e) Use of funds

A recipient of a grant under the program may use the grant funds to cover Commission fees, including those fees associated with—

- (1) developing a licensing project plan;
- (2) obtaining a statement of licensing feasibility;
- (3) reviewing topical reports; and
- (4) other—
 - (A) pre-application review activities;
 - (B) application review activities; and
 - (C) interactions with the Commission.

(Pub. L. 115-248, §3, Sept. 28, 2018, 132 Stat. 3160.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Nuclear Energy Innovation Capabilities Act of 2017, and not as part of the Energy Policy Act of 2005 which comprises this chapter.

§ 16281. Advanced nuclear fuel availability**(a) Program****(1) Establishment**

The Secretary shall establish and carry out, through the Office of Nuclear Energy, a program to support the availability of HA-LEU for civilian domestic research, development, demonstration, and commercial use.

(2) Program elements

In carrying out the program under paragraph (1), the Secretary—

(A) shall develop, in consultation with the Commission, criticality benchmark data to assist the Commission in—

(i) the licensing and regulation of special nuclear material fuel fabrication and enrichment facilities under part 70 of title 10, Code of Federal Regulations; and

(ii) certification of transportation packages under part 71 of title 10, Code of Federal Regulations;

(B) shall conduct research and development, and provide financial assistance to assist commercial entities, to design and license transportation packages for HA-LEU, including canisters for metal, gas, and other HA-LEU compositions;

(C) shall, to the extent practicable—

(i) by January 1, 2024, support commercial entity submission of such transportation package designs to the Commission for certification by the Commission under part 71 of title 10, Code of Federal Regulations; and

(ii) encourage the Commission to have such transportation package designs so certified by the Commission within 24 months after receipt of an application;

(D) shall consider options for acquiring or providing HA-LEU from a stockpile of uranium owned by the Department, or using enrichment technology, to make available to members of the consortium established pursuant to subparagraph (F) for commercial use or demonstration projects, taking into account cost and amount of time required, and prioritizing methods that would produce usable HA-LEU the quickest, including options for acquiring or providing HA-LEU—

(i) that—

(I) directly meets the needs of an end user; and

(II) has been previously used or fabricated for another purpose;

(ii) that meets the needs of an end user after having radioactive or other contaminants that resulted from a previous use or fabrication of the fuel for research, development, demonstration, or deployment activities of the Department removed;

(iii) that is produced from high-enriched uranium that is blended with lower assay uranium to become HA-LEU to meet the needs of an end user;

(iv) that is produced by Department research, development, and demonstration activities;

(v) that is produced in the United States by—

(I) a United States-owned commercial entity operating United States-origin technology;

(II) a United States-owned commercial entity operating a foreign-origin technology; or

(III) a foreign-owned entity operating a foreign-origin technology;

(vi) that does not require extraction of uranium or development of uranium from lands managed by the Federal Government, cause harm to the natural or cultural resources of Tribal communities or sovereign Native Nations, or result in degraded ground or surface water quality on publicly managed or privately owned lands; or

(vii) that does not negatively impact the availability of HA-LEU by the Department to support the production of medical isotopes, including the medical isotopes defined under the American Medical Isotopes Production Act of 2012 (Public Law 112-239; 126 Stat. 2211);

(E) not later than 1 year after December 27, 2020, and biennially thereafter, shall conduct a survey of stakeholders to estimate